IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

FRIDAY, THE 8TH JUNE 2007 / 18TH JYAISHTA 1929

Bail Appl..No. 3432 of 2007()

LP.13/2002 of J.M.F.C.,ADIMALI
CRIME NO.322/1998 OF ADIMALI POLICE STATION

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: PETITIONER/ACCUSED

SUJUMON, S/O. ABDUL KAREEM,
KURUMATTUKUDIYIL HOUSE, KAMBILINE,
KUTTAMPUZHA VILLAGE, NERYAMANGALAM,
KOTHAMANGALAM TALUK, ERNAKULAM DISTRICT.

BY ADV. SRI.GRASHIOUS KURIAKOSE

RESPONDENTS: COMPLAINANT

STATE - SHO ADIMALY,
REP. BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM.

BY PUBLIC PROSECUTOR SRI.P.N.SUKUMARAN

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 08/06/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

V. RAMKUMAR, J.

B.A. No. 3432 OF 2007

Dated this the 8th day of June, 2007

O R D E R

Petitioner, who is the accused in Crime No.322/1998 of Adimaly Police Station for offences punishable under Secs.279 and 304A I.P.C., seeks anticipatory bail.

2. Consequent on the non-appearance of the petitioner in L.P. No.13/2002 on the file of the J.F.C.M., Adimaly, non-bailable warrants of arrest are pending against the petitioner. Anticipatory bail cannot be granted to nullify the process issued by a court of competent jurisdiction. There is no reason why the petitioner should not surrender before the Magistrate and seek regular bail. Accordingly, if the petitioner surrenders before the Magistrate and files an application for regular bail within two weeks from today, the same shall be considered and disposed of, preferably on the same day on which it is filed, after considering the explanation offered by the petitioner for his previous non-appearance.

With the above observation this application is disposed of .

(V. RAMKUMAR, JUDGE)

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